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*Attorneys for Defendants Ethicon, Inc. and  
Johnson & Johnson*

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

BARBARA SMITH and GARY SMITH,

Plaintiffs,

v.

ETHICON, INC., ETHICON LLC and  
JOHNSON & JOHNSON,

Defendants.

Civil No.: 3:20-cv-00851-MO

**JOINT MOTION FOR MODIFIED  
PRETRIAL SCHEDULING ORDER**

WHEREAS THE COURT HAS ORDERED the parties to present revised pretrial submissions identified below; and

WHEREAS the parties have conferred and agreed that with additional time significant progress can be made in reducing the objections and issues that would require determination by the court;

IT IS HEREBY JOINTLY STIPULATED AND AGREED by and between the parties and their respective counsel that the following pretrial submissions shall be filed with the Court on or before August 30, 2022:

- 1) Each party's revised trial exhibit lists, and the opposing party's objections;
- 2) Each party's revised witness lists, and the opposing party's objections;
- 3) Each party's deposition designations and all counter-designations and objections;
- 4) Each party's revised proposed jury instructions;

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**JOINT MOTION FOR MODIFIED PRETRIAL  
SCHEDULING ORDER**

**Page 2**

5) Supplemental Daubert motions limited to issues presented in the MDL but reserved for later decision or otherwise not decided by the MDL Court; and

6) Joint evidentiary stipulations.

IT IS HEREBY STIPULATED this 1st day of July, 2022.

DATED: July 1, 2022

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**JOINT MOTION FOR MODIFIED PRETRIAL  
SCHEDULING ORDER**

**Page 3**

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: \_\_\_\_\_, 2022

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Hon. Michael W. Mosman  
UNITED STATES DISTRICT JUDGE

4893-0942-9799.1 37519/00008

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**JOINT MOTION FOR MODIFIED PRETRIAL  
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**Page 4**